

1897-004 Chancery Causes, Adms. of N.C. Parsons vs. Samuel Tritt &c  
Lee Co.

Jessie, Russell

CA-Debt

T-Property



To the Hon. W. J. Miller Judge of  
the Circuit Court of Lee County  
Virginia-

The Bill of Complaint of  
H. J. Russell and J. C. Jesse administrators of the estate of M. C  
Parsons deceased, who humbly  
complaining would respectfully  
represent that on the 7<sup>th</sup> day  
of March 1887, one Samuel Trett  
executed his bond, to their decedent  
and dated that day, whereby he  
the said Trett agreed and bound  
himself to pay to your orators  
decedent, on or before the first  
day of March 1895, with interest  
from Jan 1<sup>st</sup> 1888, the sum of one-  
thousand dollars and as to the  
payment thereof waived the  
benefit of his homestead exemp-  
tion.

Upon this bond there has been  
several payments viz.

1889	Jan 1	Credit	\$60.00
"	Apr 24	" "	40.00
1890-	Sept 11	" "	67.50
1891	Feb. 3	" "	100.00
1893.	Jan. 1	" "	100.00
" "	Feb 13	" "	100.00
1894	" 7	" "	60.00
1895-	March 5	" "	40.00
" "	Aug 28	" " J. H. H. H.	28.20.



The residue of said ~~note~~<sup>bond</sup> about the sum of \$870.<sup>00</sup> is still unpaid and now due your orators.

This said bond was, was so executed as shown upon its face as a part payment of a tract of land situated in this County, wherein the said Trett now resides. The said bond & the Credit thereon ~~are~~<sup>is</sup> herewith filed marked "B" and is prayed to be considered as part thereof.

The said M. C. Parsons died during his lifetime convey said land to said Trett although he has good title thereto, but he retained the same as security for the payment thereof.

Your orators are advised that the said Parsons had a lien as vendor upon said land which now vests in them and may be enforced for the payment thereof.

The object of this bill therefore is to have a decree against said Trett for the amount found due your orators that said vendors lien be first enforced against said land and a sufficiency thereof sold to pay the same and the costs of this suit; and en



its failure to pay the same then that  
the said Trett be held liable therefor  
to affect the same they pray that  
Samuel Trett be made a party  
defendant hereto & answer the  
same but he need not do so  
upon oath that being waived  
and on a hearing a decree be  
rendered in conformity with  
the object & purposes of this bill  
And for all other further and  
general relief may super  
issue &c.

Frederick Sewell.  
P. 9.



P.S.

M. C. Carson's adms

v { Bill in Chy

Samuel Fretts

1896 2nd May rules bill  
filed & pa executed &  
D. N.  
" 1st June rules taken  
the last Monday in  
May & N. Conf. & Cause  
set for hearing



To the Hon. W. J. Miller Judge of  
the Circuit Court of Lee County Va  
The amended and Supplement-  
al Bill of these ~~resp~~ Com-  
plainants to a bill filed in this  
Hon. Court by them against  
Samuel Lott. They insert up-  
on the said original Bill and  
make the same a part thereof  
as fully as if set out at length  
By which it will be seen the  
object thereof is to collect a  
purchase money note fully de-  
scribed in said original bill.  
But by a decree rendered there-  
in it was ordered that your  
Complainants make the heirs  
of M. C. Parsons deceased parties  
Defendants hereto, so that the  
title might pass out of them &  
this is the object of this amend-  
ment. Your Complainants file  
their own deed & the deed of  
H. J. Russell vendor of George W.  
Parsons, herewith as an escrow  
to be delivered upon full pay-  
ment, and this is all of said  
adult heirs, Rebecca Parsons



Wheeler P. Parsons and Parsons  
are infants, for whom a Com-  
missioner have to be appointed to Con-  
vey their part.

The object of this <sup>amended</sup> bill there-  
fore is to have the heirs at law  
of M. C. Parsons deceased made  
parties hereto and that they the  
adults file their deed of Con-  
veyance to said tract of land  
set out in the original bill  
and file the same as an es-  
crow herewith to be deliv-  
ered upon the payment of the  
said purchase money set out  
in the original Bill - That a  
Court be appointed to convey  
the undivided interest of the said  
infants -

To effect which they pray  
that H. J. Russell as vendor of  
George W. Parsons, Ellen J. Russell  
Eva Russell, Rebecca Parsons  
Wheeler P. Parsons and Bessie A  
Parsons be made defendant  
hereto. That the adults answer  
& file therewith their deed of



escrow. That a guardian ad  
litem answer & defend said  
infant and on a hearing a  
Court be appointed to ~~ans-~~  
~~er~~ convey by a proper deed  
the said infant's interest  
therein. And that the prayer  
of the original bill be  
granted in said land sold  
as therein prayed for. And  
for all other further & General  
Relief May *Supra* issue &c.  
Prayer & Sentence



Jessie & Russell  
admiral  
v. 3 Amended Bill

Samuel Tritt et al



To the Hon. W. J. Miller Judge  
of the Circuit Court of Lee  
County Va.

The joint answer of  
H. J. Russell Eva Russell and  
Ellen Jesse, to an amended bill  
filed against them & others by  
the personal representatives of  
M. C. Parsons deceased.

Respondents are advised that  
it is proper for them to make  
the conveyance prayed for, and  
they therefore make & file a deed  
of conveyance to the land sold  
as in the original bill men-  
tioned conveying their own &  
Geo. W. Parsons' interest - which  
they so file the same as an  
escrow to be delivered upon  
the payment of said Purchase  
money. And having now  
fully answered they pray to be  
dismissed with their costs.

Obedience & Service



Ellen Jasee et al

Adm. Answer.

M. C. Parson adm



To the honorable W.T. Miller judge of the Circuit Court of Lee  
County Virginia:

The demurrer and answer of Samuel Tritt to a bill exhibited against him in this honorable court by H.J. Russell and J.C. Jessee, administrators of the estate of M.C. Parsons, deceased:

Respondent says that complainant's bill is not sufficient in law to call upon him to answer in this court, and of this he prays judgment &c.

But should other and further answer be required, answering he ~~xy~~ says that it is true that he executed the bond in the said bill mentioned; that said bond was executed as a balance of the purchase price of a tract of land purchased by him from complainants' decedent. It is true that said bond became due on the 1st day of ~~March~~ March 1895 and that it is subject to the credits thereon endorsed, and perhaps some others, though of this respondent is not certain, and if he is entitled to any such further credits he will attempt to show the same by proper evidence. It is further true that the said M.C. Parsons did not convey said lands to respondent, but he executed a title bond binding himself to make a good and sufficient deed thereto, which bond is filed herewith as a part hereof marked "Bond". By an inspection of this bond it will be seen that as a part of said bond and a part of the contract of the sale of said land to your respondent, that the said M.C. Parsons was to give to your respondent or whoever may purchase from him a road or a right of way through his, the said Parsons' land on the South side of Powell's River from the canoe landing above the big spring outside of the blank fence up the river to the old road, and thence with the old road to the main road. As before said the said Parsons failed to make a conveyance of said land in his lifetime and has consequently failed to convey said roadway, and before his death he conveyed the land through which this road-way runs to his daughter, Eva Russell. Said Parsons left at the time of his death a Widow <sup>F.E. Parsons</sup> and the following children, Ellen, who intermarried with J.C. Jessee, Eva, who intermarried with H.J. Russell, Rebecca, who is unmarried and an infant, George W., and Whe-



ler P., who is also an infant, and since the said Parsons' death another child has been born to his said widow, who is also an infant named \_\_\_\_\_, to whom the legal title of his unconveyed lands descended. Respondent is ready to comply with the terms of his said contract and to pay the balance due from him on said land whenever he can get good and sufficient title thereto.

And now having fully answered, respondent prays to be hence dismissed with his costs &c.

*Duncan V. Wyatt*, p.d.



Know all men by these presents that M. C. Parsons, am held and firmly bound unto Samuel Tritt in the just and full sum of Five thousand Dollars to which payment I bind myself, heirs & family by these presents, Witness my hand & seal  
Mch 7<sup>th</sup> 1887.

The condition of the above obligation is such that Whereas the said M. C. Parsons has this day sold to the said Samuel Tritt a certain tract or parcel of Land situate and lying on the North Side of Powell's river in Lee County and is the same tract or which Mary V. Peington now lives containing about 150 acres

Now if the said Parsons shall make or Cause to be made a good and sufficient deed to said land then this obligation to be null & void otherwise to remain in full force & virtue

M. C. Parsons 

Witness

W. S. Hurst

It is further agreed as a part of the above writing that I am to give and do hereby give said Tritt or whoever may purchase from him a road or right of way through my land on the North Side of Powell's river from the canoe landing above the big spring out side of the plank fence up the river to the old road and thence with the old road to the main road

M. C. Parsons



"Boud"



M. C. Parsons' Advers

vs } Answer of  
      } Samuel Lritt.

Samuel Lritt.

Filed in open court  
and be leave thereof

June 2<sup>nd</sup> 1896.  
W B Munsey clk



In the Circuit Court of the County of Lee :

The answer of Rebecca Parsons, Wheeler P. Parsons and Bessie A. Parsons

infants under the age of twenty-one years, by L. T. Hyatt (a discreet and competent attorney at law), their guardian *ad litem* assigned to defend them in this suit, and the answer of the said L. T. Hyatt, guardian *ad litem* of the said infant defendants, to a bill of complaint exhibited against the said infants and others by M. C. Parsons' Admsrs. in the Circuit Court of the County of Lee

For answer to the said bill the said infant defendants by their said guardian *ad litem* answer and say that being of tender years they do not know what their true interests are in relation to the subject matter of the said bill, nor do they know whether the statements therein contained are true or not. They confide the protection of their interests therein to the care of the court. And the said guardian *ad litem* of the said infant defendants for answer to the said bill answers and says that he knows nothing as to the truth or falsity of the statements in the bill contained. He prays full protection for the infant defendants. And now having fully answered, these defendants pray to be hence dismissed with their costs, etc.

Rebecca Parsons  
Wheeler P. Parsons  
Bessie A. Parsons

By L. T. Hyatt  
Guardian *ad litem*.

L. T. Hyatt

} Guardian *ad litem* of the said infants.

STATE OF VIRGINIA,  
County of Lee } ss.

Sworn to before me in my County aforesaid by L. T. Hyatt  
guardian *ad litem* as aforesaid, this the 9th day of Novr. A. D. 1896.

M. G. Ely, N. P.



*M. C. Parsons' Exrs.*

vs.

{ ANSWER OF INFANT DEFENDANTS BY  
THEIR GUARDIAN AD LITEM, AND  
ANSWER OF THE GUARDIAN AD  
LITEM FOR THE INFANTS.

*Sam'l Litt* et als.

Filed *Nov. 9th* 1896.



W. L. Parsons' Advers

23.

Samuel Little et al.,

This cause came on this day to be finally heard upon the papers formerly read herein, and was argued by counsel. The plaintiffs admitting that the purchase money heretofore decreed to ~~be~~ ~~been~~ paid by the defendant, Little, to the plaintiffs has been fully paid, it is adjudged, ordered and decreed that the cause be stricken from the docket.



Parsons' Admiration  
v3  $\frac{3}{2}$  scarce final  
 $\frac{1}{2}$   
Samuel Litt et al.  
Ecc. C. O. B. No. 6 p 12.

Center  
N. J. M.  
June 14<sup>th</sup> 1877



M .C.Parson' Admrs.

vs.

Samuel Tritt, et als.

The order of continuance made in this case at a former day of this term is set aside. And thereupon said cause came on to be heard upon the papers formerly read, and the report of L.T.Hyatt, Comr and deed filed therewith, and was argued by counsel. And there being no exceptions to said report or deed, it is adjudged ordered and decreed that they each be confirmed. And the said Samuel Tritt is permitted to withdraw said deed and the deed of J.C.Jessee & wife and other when he pays the purchase money heretofore decreed against him in this cause, and said cause is continued.



M.C. Parsons' Advers

vs  $\frac{3}{3}$  Deere

Samuel Litt et al

Entered in O.B. No. 4  
p 492.

Enter This

W. J. M.

Nov 11 1896



On motion of the plaintiff, <sup>L. T. Hyatt</sup> is appointed guardian  
ad litem for Rebecca Parsons Wheeler P. Parsons  
& Bessie A. Parsons, infant defendants & on his  
motion leave is granted him to file his answer  
which is accordingly done & thereupon

M. C. Parsons admits  
Against <sup>Isaiah</sup>  
Samuel Tritt et al  
2 This cause  
came on again to be heard  
upon the papers formerly  
read, and the amended bill  
of the plffs and the answer  
of L. T. Hyatt guardian ad  
litem of the infants, defend-  
ant, Rebecca Parsons Wheeler P.  
Parsons and Bessie A. Parsons - and the  
answer of H. J. Russell Eva  
Russell, and Ellen Jesse and  
replication to each of said  
answers and was argued by  
Counsel -

On consideration of  
which and for reasons ap-  
pearing to the Court, the deed  
of H. J. Russell Eva Russell  
and Ellen Jesse filed with  
their answer being unexcepted  
to is approved and directed to  
remain on file as an escrow  
to be delivered upon the pay-  
ment of the purchase money  
hereinafter decreed to be



paid and said L. T. Hyatt  
who is hereby appointed a  
Special Commr, for the purpose  
will make ~~execute~~ file a  
similar deed for and upon  
the part of said infant to  
the said land as set out in  
the deed of H. J. Russell et  
al, and file the same as an  
escrow herewith & report the  
same to this Court

It is thereupon adjudged  
ordered & decreed that ~~Samuel~~  
J. C. Jesse & H. J. Russell as  
admins of the estate of M. C.  
Parsons deceased recover from  
Samuel Tritt the sum of  
One thousand dollars (\$1000.00)  
and legal interest thereon from  
Jan<sup>1</sup> 1888, till paid and the Costs  
of this Suit. Subject to the  
following Credits upon said note  
\$60.00 paid Jan 1<sup>st</sup> 1889

\$40.00	"	Apr. 24	1889
67.50	"	Sept. 11	1890
100.00	"	Feb. 3	1891
100.00	"	Jan 1.	1893



\$100. <sup>00</sup>	paid	Feb. 18 <sup>th</sup> ,	1893
60 <sup>00</sup>	"	17 7	1894
40 "		Mar 5	1895
28. 20 "		Aug. 28	1895-

(This cost the Jacob Hull note)  
 And unless the said Samuel  
 Tritt or some one else for him  
 pay said sums of money within  
 30 days from the rising of this  
 Court, then D. C. Sewell who  
 is hereby appointed a special  
 Comr for the purpose will see  
 said land or so much as may  
 be necessary to pay the same  
 He will make sale on some  
 Court day in front of the  
 Court house door on a credit  
 of one or two years except so  
 much as may be necessary to  
 pay the cost of suit & sale he  
 will require paid in hand  
 and for the residue take bond  
 payable to himself as Comr,  
 bearing interest from day  
 of sale.

But he will not execute this  
 decree until L. J. Hyatt Comr  
 makes & file the deed required of him



He will then execute bond before the Clerk of this Court in a penalty of \$1500 Conditioned as the Court direct. He will then advertise the same for at least 30 days on the front door of the Court House of this County & at one or public places, one of which shall be in the neighborhood of where the land lies setting out time terms & place of sale. He will report his action to this Court at a future term & this cause is continued.

W. C. Parsons adms

no 3 Decree for  
Rule —

Samuel Trill

Nov 7. 1896

Entered in index  
O. B. No. 4 p. 459 of 80.

Cont in this

W. C. Parsons

Nov 9 1896



M. C. Parsons adms pff } In ch  
against }  
Samuel Tritt deft }

This cause  
came on this day to be heard  
upon the bill of the pff and  
the answer of the defendant, &  
it appearing from said ans-  
wer that there are others who  
should be made parties to the pff  
bill. On motion of the pff  
leave is given them to so amend  
their bill as they may be ad-  
vised & to file the same at rule, on  
which process may issue & the  
cause is continued..



M. C. Parsons actm

v} Decree  
for Amendment.  
Samuel Tritt et al  
June 7, 1896

O.B. P. 448

Enter this.  
June 6, 1896.  
W. M.



Virginia,

In the Circuit Court of Lee County:

M. C. Parsons' Admrs.

vs.

In Chancery.

Samuel Tritt et als

To The Hon. W. T. Miller, Judge of said Court.

The undersigned begs leave to report as follows:

I was appointed, by a decree rendered, in the above styled Chancery cause on the 9th day of Nov. 1896, a Commissioner, and as such directed to convey to Samuel Tritt the undivided interests of Rebecca Parsons, Wheeler P. Parsons and Bessie A. Parsons, ~~in a certain tract of land~~ infant heirs at law of M. C. Parsons, deceased, in a certain tract of land sold by said M. C. Parsons, in his lifetime, to the said Samuel Tritt, also the interests of the said infants in a certain road or right of way.

I have prepared, executed and acknowledged a deed as required by said decree, and I here file the same for ~~the~~ inspection, approval, and delivery by the Court.



M. C. Parsons' Admrs.

vs.  $\frac{3}{2}$  Report

Samuel Littel et al  
of L. J. Hyatt, Comr.  
showing deed.

Filed Nov. 10 1896.

A B Munsey

L. J. Hyatt's Decr \$5.00


Very Respectfully Submitted  
L. J. Hyatt, Comr.



\$1000.00

On or before the first day Nov 1895 I  
promise to pay to M.C. Parsons the sum of one  
thousand dollars as a payment on a tract  
of Land this day bought from him and I  
Waive as to this Note My homestead exemption

It is agreed that the interest on this Note  
shall begin to run Jan 1st 1888 and to  
be paid at the end of each Year thereafter.  
Witness my hand & seal Nov 7 1887.

Samuel Titt 

But as calculated  
to May 1 1896  
\$867.60



Credit the within sixty dollars  
this Jan 1<sup>st</sup> 1889

Credit the within forty dollars  
this April 24<sup>th</sup> 1889

Credit the within note sixty  
seven dollars and 50 cents this the  
11<sup>th</sup> of Sept 1890

Credit the within note one hundred  
dollars Feb. 3<sup>rd</sup> 1891

Credit to within note one hundred  
dollars, Jan. 1<sup>st</sup> 1893

Credit the within note one hundred  
dollars July 13 1893

Cr. the within note Sixty Dollars Feb. 7, 1894

Cr the within note forty Dollars cash this March

Cr by balance on Jacob. Hall note \$25.00 - Aug 8<sup>th</sup> 1895

But see Jan 1<sup>st</sup> 1894



The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

We Command you, That you summon

*Samuel Litt*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held  
for the said Court on the *3rd* Monday in *May*, 189*6*, to answer a

bill in Chancery, exhibited against *him* in our said court by

*J. C. Russell* Administrator  
of the estate of *M. C. Parsons deceased*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-  
house, the *16th* day of *May*, 189*6* and in the  
12*0th* year of the Commonwealth.

*A. B. Munsey* Clerk.



J. B. Jesse et al adms  
vs. { SUPENA.  
IN CHANCERY.  
Samuel Tritt

Prudhomme & Sewell p. q.

To 2<sup>nd</sup> May Rules.

CIRCUIT COURT.

I Executed the  
within writ May  
16<sup>th</sup> 1894 By delivery  
an attested office  
Copy of the within  
summons to Samuel  
Tritt in Lee Co Va  
W. P. Weston S.C.



Clerk  
Sheriff  
G.A.H.  
Comm.  
Atty

\$6.08

50

5.00

5.00

15.00

31.58

M. C. Parsons Adm.

3 } City

Samuel Fitt.